

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

COREY SIMON AND DAVE SEPPLÉ,

Civil No. 10-0765 (JRT/AJB)

Plaintiffs,

v.

DU-ALL SERVICE CONTRACTORS,
INC.,

ORDER OF DISMISSAL

Defendant.

John Fabian, III and Nicholas May, **FABIAN MAY & ANDERSON, PLLP**, 80 South Eighth Street, Suite 1285, Minneapolis, MN 55402, for plaintiffs.

Kyle Fogt, Lorelei Lannan, and Steven Anderson, **FAEGRE & BENSON LLP**, 90 South Seventh Street, Suite 2200, Minneapolis, MN 55402, for defendant.

This matter is before the Court on the stipulation for settlement approval and dismissal filed by the parties on January 4, 2011 [Docket No. 13].

IT IS HEREBY ORDERED that:

1. The Court, having reviewed the Confidential Settlement Agreement, finds that the settlement: (a) is fair to Plaintiffs; (b) reasonably resolves a bona fide disagreement between the settling parties with regard to the merits of the claims asserted by Plaintiffs; and (c) demonstrates a good faith intention by the parties that Plaintiffs' claims be fully and finally resolved and not re-litigated in whole or in part at any point in the future.

2. Accordingly, the settlement described in the Stipulation and the Confidential Settlement Agreement is therefore **APPROVED** by the Court;

3. This action is hereby **DISMISSED WITH PREJUDICE**;

4. All parties shall bear their own costs and attorneys' fees except as otherwise provided in the Confidential Settlement Agreement.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: February 11, 2011
at Minneapolis, Minnesota.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge